

<sup>25</sup>  
24. The method of claim <sup>24</sup>23 where said second panel displays the program content information associated with the record selected.

<sup>26</sup>  
25. The method of claim 20 where said first and second panels have overlapping dimensions on said display.

<sup>27</sup>  
26. The method of claim 20 where said video and said second panel have overlapping dimensions on said display.

<sup>28</sup>  
27. The method of claim 20 where said first and second panels are simultaneously displayed and independently browsable.

#### REMARKS

In a prior response to an Office Action dated February 1, 2001, independent claim 1 inadvertently repeated the phrase "said first panel being displayed on another portion of said display simultaneously with said video." Claim 1 has been amended to remove this redundancy and this change is not related to patentability.

The Examiner rejected claims 1, 3-5, 7, 8, and 10 under 35 U.S.C. Sec. 103(a) as being unpatentable over Schein et al., U.S. Patent No. 6,151,059 in view of Lemmons et al., U.S. Patent No. 6,266,814.

Schein et al. disclose a system for displaying an electronic program guide with interactive areas together

with a video. In relevant part, Schein et al. disclose that when the user moves the pointer over the scroll right zone 230 the zone highlights in bright green with arrows indicating the scrolling direction. The scroll right zone 230 is exterior to the records of the electronic program guide. Each click scrolls the display one half-hour, as shown in FIG. 7. (See Schein et al., column 11, lines 46-57).

The Examiner noted that Schein et al. disclose selecting an icon in response to a second signal from a user interface and that Schein et al. fail to disclose the claimed selecting a second record in response to a third signal from a user interface, where the second record has an associated time and an associated channel, where the associated time of second record is outside of associated time range and in response to selecting a second record, displaying with video a second panel.

Lemmons et al. teach advancing an EPG in chronological time by a user depressing a right arrow key. Pressing the right arrow key incrementally changes the EPG to different time frames by selecting a record outside of the displayed grid.

As previously discussed, the EPG grids of both Schein et al. and Lemmons et al. change the EPG in half-hour increments.

Claim 1 has been amended to clarify the language to include a "first panel having an associated time range from a first time to a second time" and "a second panel

having an associated time range from third time to a fourth time where said third time is the same as said second time and said fourth time is not the same as said first time."

Further, claim 1 patentably distinguishes over Schein et al. in view of Lemmons et al. by claiming selecting a second record in response to a third signal from said user interface, where the second record has an associated time and an associated channel, where the associated time of said second record is outside of the associated time range.

Claim 1 therefore patentably distinguishes over the teaching of both Schein et al. by selecting a second record of the EPG, as opposed to merely scrolling the EPG as a whole from a location exterior to the EPG.

The Examiner appears to suggest that it would have been obvious to select the actual record by generating a first signal, second signal, etc. in the EPG of Schein et al. to provide a simpler means for advancing the EPG in chronological time to show panels and records with different time ranges, and it would have thus obviated the need for a special icon 230 for advancing the EPG and the associated complexity associated therewith.

The applicant agrees with the Examiner that selecting the actual record provides a simpler means for advancing the EPG and thus would have obviated the need for a special icon 230 for advancing the EPG. However, this realization is the novelty, in part, of claim 1 and goes to the reason for patentability of claim 1, namely, a simpler

means for advancing the EPG and obviates the need for a special icon 230 for advancing the EPG.

2) The Examiner has failed to suggest any motivation for the modification of the primary reference Schein et al. references that disclose the invention claimed in claim 1. Moreover, the Examiner admits that Schein et al. fail to disclose the selecting of the second record, as claimed.

It is an improper use of hindsight to combine two references, and then to suggest that the missing element would have been obvious to solve a need not even expressed nor suggested in the primary references.

Dependent claims 1-10 depend from independent claim 1 and are allowable for the same reasons as is independent claim 1.

Claim 2, as amended, patentably distinguishes over the references of record by claiming the time ranges encompassing the entire first and second panels. This is not suggested by any of the references of record.

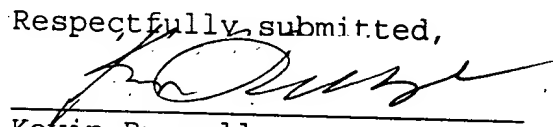
Added claims 20-27 claim a method for displaying programming information comprising, in part, the steps of "displaying simultaneously with said video a selective one of either (i) a first panel, (ii) a second panel, or (iii) a first panel and a second panel in response to a first signal or a series of first signals from a user interface" with "each of said first panel and said second panel being selectively browsable to different time or channel ranges in response to a second signal from said user interface." These

limitations are not disclosed by any of the cited references and are hence allowable.

Specifically referencing claim 27, that claim recites the additional limitation that said first and second panels are simultaneously displayed and independently browsable. This limitation is also not disclosed in any of the references cited by the Examiner.

The Examiner is respectfully requested to consider the amended claims 1-10 and the new claims 20-27 and to pass the application to issue

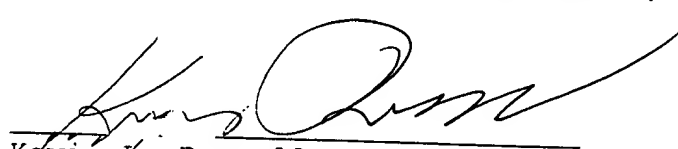
Respectfully submitted,

  
Kevin Russell  
Reg. No. 38,292  
Of Attorneys for Applicant  
Tel: (503) 227-5631

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on JUNE 2, 2002.

Dated: JUNE 21, 2002

  
Kevin L. Russell